

Office of the Secretary, USDA

Pt. 6, Subpt., Apps. 1-3

6.33 and appendices 1 through 3 as contained in 7 CFR subtitle A revised as of January 1, 1996). With respect to any violation of the provisions of that regulation by a licensee prior to the effective date hereof, the provisions of that regulation will be deemed to continue

in full force; however, the debarment and suspension of §6.31 of this subpart shall apply with respect to any violation of that regulation.

[61 FR 53007, Oct. 9, 1996. Redesignated at 65 FR 1298, Jan. 10, 2000]

APPENDICES 1-3 TO SUBPART—DAIRY TARIFF-RATE IMPORT QUOTA LICENSING

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES; AND APPENDIX 3, DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2012

[Quantities in kilograms]

| Article by additional U.S. Note No. and country of origin | Appendix 1 | Appendix 2 | Sum of Appendix 1&2 | Appendix 3 | | Harmonized tariff schedule |
|--|------------|------------|---------------------------|------------|------------|-------------------------------|
| | | | | Tokyo R. | Uruguay R. | |
| NON-CHEESE ARTICLES | | | | | | |
| BUTTER (G-NOTE 6) | 4,733,992 | 2,243,008 | 6,977,000 | ..... | ..... | 6,977,000 |
| EU-25 | 75,000 | 21,161 | 96,161 | ..... | ..... |  |
| New Zealand | 110,045 | 40,548 | 150,593 | ..... | ..... |  |
| Other Countries | 41,970 | 31,965 | 73,935 | ..... | ..... |  |
| Any Country | 4,506,977 | 2,149,334 | 6,656,311 | ..... | ..... |  |
| DRIED SKIM MILK (K-NOTE 7) | | 5,261,000 | 5,261,000 | ..... | ..... | 5,261,000 |
| Australia | | 600,076 | 600,076 | ..... | ..... |  |
| Canada | | 219,565 | 219,565 | ..... | ..... |  |
| Any Country | | 4,441,359 | 4,441,359 | ..... | ..... |  |
| DRIED WHOLE MILK (H-NOTE 8) .. | 3,175 | 3,318,125 | 3,321,300 | ..... | ..... | 3,321,300 |
| New Zealand | 3,175 | | 3,175 | ..... | ..... |  |
| Any Country | | 3,318,125 | 3,318,125 | ..... | ..... |  |
| DRIED BUTTERMILK/WHEY (M- NOTE 12) | | 224,981 | 224,981 | ..... | ..... | 224,981 |
| Canada | | 161,161 | 161,161 | ..... | ..... |  |
| New Zealand | | 63,820 | 63,820 | ..... | ..... |  |
| BUTTER SUBSTITUTES CON- TAINING OVER 45 PERCENT OF BUTTERFAT AND/OR BUTTER OIL (SU-NOTE 14) | | 6,080,500 | 6,080,500 | ..... | ..... | 6,080,500 |
| Any Country | | 6,080,500 | 6,080,500 | ..... | ..... |  |
| TOTAL: NON- CHEESE ARTI- CLES | 4,737,167 | 17,127,614 | 21,864,781 | ..... | ..... | 21,864,781 |

CHEESE ARTICLES

| | | | | | | |
|--|------------|------------|------------|-----------|-----------|------------|
| CHEESE AND SUBSTITUTES FOR CHEESE (EXCEPT: SOFT RIPENED COW'S MILK CHEESE; CHEESE NOT CONTAINING COW'S MILK; CHEESE (EXCEPT COTTAGE CHEESE) CONTAINING 0.5 PERCENT OR LESS BY WEIGHT OF BUTTERFAT; AND, ARTICLES WITHIN THE SCOPE OF OTHER IMPORT QUOTAS PROVIDED FOR IN THIS SUBCHAPTER) (OT-NOTE 16) | 21,419,738 | 10,049,993 | 31,469,731 | 9,661,128 | 7,496,000 | 48,626,859 |
| Argentina | 7,690 | 0 | 7,690 | 92,310 | ..... | 100,000 |
| Australia | 535,628 | 5,542 | 541,170 | 758,830 | 1,750,000 | 3,050,000 |
| Canada | 977,439 | 163,561 | 1,141,000 | ..... | ..... | 1,141,000 |
| Costa Rica ..... | ..... | 0 | ..... | ..... | 1,550,000 | 1,550,000 |
| EU-25 | 15,729,427 | 7,538,229 | 23,267,656 | 1,132,568 | 3,446,000 | 27,846,224 |
| Of which Portugal is: | 65,838 | 63,471 | 129,309 | 223,691 | ..... | 353,000 |
| Israel | 79,696 | 0 | 79,696 | 593,304 | ..... | 673,000 |
| Iceland | 294,000 | 0 | 294,000 | 29,000 | ..... | 323,000 |
| New Zealand | 2,910,180 | 1,905,292 | 4,815,472 | 6,506,528 | ..... | 11,322,000 |
| Norway | 124,982 | 25,018 | 150,000 | ..... | ..... | 150,000 |

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES;
AND APPENDIX 3, DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2012—Continued

[Quantities in kilograms]

| Article by additional U.S. Note No. and country of origin | Appendix 1 | Appendix 2 | Sum of Appendix 1&2 | Appendix 3 | | Harmonized tariff schedule |
|--|------------|------------|---------------------------|------------|------------|-------------------------------|
| | | | | Tokyo R. | Uruguay R. | |
| Switzerland | 593,952 | 77,460 | 671,412 | 548,588 | 500,000 | 1,720,000 |
| Uruguay | | 0 | | | 250,000 | 250,000 |
| Other Countries | 100,906 | 100,729 | 201,635 | | | 201,635 |
| Any Country | | 300,000 | 300,000 | | | 300,000 |
| BLUE-MOLD CHEESE (EXCEPT STILTON PRODUCED IN THE UNITED KINGDOM) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, BLUE- MOLD CHEESE (B-NOTE 17) | 2,283,646 | 197,355 | 2,481,001 | | 430,000 | 2,911,001 |
| Argentina | 2,000 | 0 | 2,000 | | | 2,000 |
| EU-25 | 2,281,646 | 197,354 | 2,479,000 | | 350,000 | 2,829,000 |
| Chile | | | | | 80,000 | 80,000 |
| Other Countries | | 1 | 1 | | | 1 |
| CHEDDAR CHEESE, AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, CHEDDAR CHEESE (C-NOTE 18) | 2,795,016 | 1,488,840 | 4,283,856 | 519,033 | 7,620,000 | 12,422,889 |
| Australia | 902,462 | 82,037 | 984,499 | 215,501 | 1,250,000 | 2,450,000 |
| Chile | | 0 | | | 220,000 | 220,000 |
| EU-25 | 52,404 | 210,596 | 263,000 | | 1,050,000 | 1,313,000 |
| New Zealand | 1,737,605 | 1,058,863 | 2,796,468 | 303,532 | 5,100,000 | 8,200,000 |
| Other Countries | 102,545 | 37,344 | 139,889 | | | 139,889 |
| Any Country | | 100,000 | 100,000 | | | 100,000 |
| AMERICAN-TYPE CHEESE, IN- CLUDING COLBY, WASHED CURD AND GRANULAR CHEESE (BUT NOT INCLUDING CHED- DAR) AND CHEESE AND SUB- STITUTES FOR CHEESE CON- TAINING OR PROCESSED FROM SUCH AMERICAN-TYPE CHEESE (A-NOTE 19) | 2,688,157 | 477,396 | 3,165,553 | 357,003 | | 3,522,556 |
| Australia | 761,890 | 119,108 | 880,998 | 119,002 | | 1,000,000 |
| EU-25 | 145,147 | 208,853 | 354,000 | | | 354,000 |
| New Zealand | 1,630,479 | 131,520 | 1,761,999 | 238,001 | | 2,000,000 |
| Other Countries | 150,641 | 17,915 | 168,556 | | | 168,556 |
| EDAM AND GOUDA CHEESE, AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, EDAM AND GOUDA CHEESE (E-NOTE 20) .. | 4,910,073 | 696,329 | 5,606,402 | | 1,210,000 | 6,816,402 |
| Argentina | 110,495 | 14,505 | 125,000 | | 110,000 | 235,000 |
| EU-25 | 4,680,498 | 608,502 | 5,289,000 | | 1,100,000 | 6,389,000 |
| Norway | 114,318 | 52,682 | 167,000 | | | 167,000 |
| Other Countries | 4,762 | 20,640 | 25,402 | | | 25,402 |
| ITALIAN-TYPE CHEESES, MADE FROM COW'S MILK, (ROMANO MADE FROM COW'S MILK, REGGIANO, PARMESAN, PROVOLONE, PROVOLLETTI, SBRINZ, AND GOYA-NOT IN ORIGINAL LOAVES) AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, SUCH ITALIAN-TYPE CHEESES, WHETHER OR NOT IN ORIGI- NAL LOAVES (D-NOTE 21) | 6,402,630 | 1,117,917 | 7,520,547 | 795,517 | 5,165,000 | 13,481,064 |
| Argentina | 3,910,738 | 214,745 | 4,125,483 | 367,517 | 1,890,000 | 6,383,000 |
| EU-25 | 2,491,892 | 890,108 | 3,382,000 | | 2,025,000 | 5,407,000 |
| Romania | | 0 | | | 500,000 | 500,000 |
| Uruguay | | 0 | | 428,000 | 750,000 | 1,178,000 |
| Other Countries | | 13,064 | 13,064 | | | 13,064 |

Office of the Secretary, USDA

§ 6.40

ARTICLES SUBJECT TO: APPENDIX 1, HISTORICAL LICENSES; APPENDIX 2, NONHISTORICAL LICENSES;
AND APPENDIX 3, DESIGNATED IMPORTER LICENSES FOR QUOTA YEAR 2012—Continued

[Quantities in kilograms]

| Article by additional U.S. Note No. and country of origin | Appendix 1 | Appendix 2 | Sum of Appendix 1&2 | Appendix 3 | | Harmonized tariff schedule |
|--|------------|------------|---------------------------|------------|------------|-------------------------------|
| | | | | Tokyo R. | Uruguay R. | |
| SWISS OR EMMENTHALER CHEESE OTHER THAN WITH EYE FORMATION, GRUYERE- PROCESS CHEESE AND CHEESE AND SUBSTITUTES FOR CHEESE CONTAINING, OR PROCESSED FROM, SUCH CHEESES (GR-NOTE 22) | 5,264,929 | 1,386,385 | 6,651,314 | 823,519 | 380,000 | 7,854,833 |
| EU-25 | 3,995,739 | 1,156,255 | 5,151,994 | 393,006 | 380,000 | 5,925,000 |
| Switzerland | 1,235,692 | 183,795 | 1,419,487 | 430,513 | ..... | 1,850,000 |
| Other Countries | 33,498 | 46,335 | 79,833 | ..... | ..... | 79,833 |
| CHEESE AND SUBSTITUTES FOR CHEESE, CONTAINING 0.5 PER- CENT OR LESS BY WEIGHT OF BUTTERFAT (EXCEPT ARTI- CLES WITHIN THE SCOPE OF OTHER TARIFF-RATE QUOTAS PROVIDED FOR IN THIS SUB- CHAPTER), AND MARGARINE CHEESE (LF-NOTE 23) | 1,840,852 | 2,584,056 | 4,424,918 | 1,050,000 | ..... | 5,474,908 |
| EU-25 | 1,840,852 | 2,584,055 | 4,424,907 | ..... | ..... | 4,424,907 |
| Israel ..... | ..... | 0 | ..... | 50,000 | ..... | 50,000 |
| New Zealand ..... | ..... | 0 | ..... | 1,000,000 | ..... | 1,000,000 |
| Other Countries ..... | ..... | 1 | 1 | ..... | ..... | 1 |
| SWISS OR EMMENTHALER CHEESE WITH EYE FORMATION (SW-NOTE 25) | 15,565,737 | 6,731,594 | 22,297,331 | 9,557,945 | 2,620,000 | 34,475,276 |
| Argentina ..... | ..... | 9,115 | 9,115 | 70,885 | ..... | 80,000 |
| Australia | 209,698 | 0 | 209,698 | 290,302 | ..... | 500,000 |
| Canada ..... | ..... | 0 | ..... | 70,000 | ..... | 70,000 |
| EU-25 | 11,155,483 | 5,321,345 | 16,476,828 | 4,003,172 | 2,420,000 | 22,900,000 |
| Iceland | 149,999 | 0 | 149,999 | 150,001 | ..... | 300,000 |
| Israel | 27,000 | 0 | 27,000 | ..... | ..... | 27,000 |
| Norway | 3,187,264 | 468,046 | 3,655,310 | 3,227,690 | ..... | 6,883,000 |
| Switzerland | 776,708 | 907,397 | 1,684,105 | 1,745,895 | 200,000 | 3,630,000 |
| Other Countries | 59,585 | 25,691 | 85,276 | ..... | ..... | 85,276 |
| TOTAL: CHEESE ARTICLES | 63,170,778 | 24,729,865 | 87,900,653 | 22,764,145 | 24,921,000 | 135,585,788 |
| TOTAL: CHEE- SE AR- TICLES & NON- CHEE- SE AR- TICLES | 67,907,945 | 41,857,479 | 109,765,434 | 22,764,145 | 24,921,000 | 157,450,569 |

[77 FR 51681, Aug. 27, 2012]

§ 6.40 General.

**Subpart—Price-Undercutting of
Domestic Cheese by Quota
Cheeses**AUTHORITY: Sec. 702, Pub. L. 96-39, 93 Stat.
144, 19 U.S.C. 1202 note.SOURCE: 45 FR 9883, Feb. 13, 1980, unless
otherwise noted.

This subpart sets forth the procedures applicable to the determination by the Secretary of Agriculture as to whether the price at which any article of quota cheese is being offered for sale in the United States on a duty-paid wholesale basis is less than the domestic wholesale market price of similar articles produced in the United States (i.e., price-undercutting) in accordance